IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2425 OF 2005

Mrs. Veena Dushyant Bhatt ... Petitioner

V/s

Mr. Dushyant Himatlal Bhatt ... Respondent

Mr. Piyush Shah for the petitioner.

Ms. Kumud Bhatia for the respondent.

CORAM: S.U. KAMDAR, J.

DATED: 22ND NOV., 2005

P.C.:

1. In view of the undertaking filed by the respondent dated 22.11.2005 inter-alia giving undertaking to this Court that he will pay Rs.3 lacs to the petitioner within a period of two weeks as directed by the Family Court, the learned counsel for the petitioner does not press the present petition. Undertaking is accepted.

2. In so far as the contention of the petitioner that the petitioner is owner of the factory premises, it is made clear that the said issue is kept open and the petitioner is at liberty to adopt appropriate civil

proceeding for establishing her right in respect of the said factory premises and the business thereof.

3. In so far as the payment of Rs.3 lacs is concerned, in an event if the amount is not paid as per the undertaking, the petitioner will be at liberty to move the the present petition after a period of two weeks for necessary directions and for passing further orders in the matter.

4. Petition disposed of accordingly with no order as to costs.

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